

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

DOMINGO RODRIGUEZ LEBRON

Petitioner

v.

UNITED STATES OF AMERICA

Respondent.

Civ. No. 04-2191 (PG)

(Re: Crim. No.02-393 (PG))

ORDER

Upon careful review of the Magistrate Judge's Report and Recommendation ("R&R")--to which no objections were filed--the Court hereby **APPROVES** and **ADOPTS** the Magistrate Judge's R&R. (**Docket No. 42.**) Accordingly, petitioner's §2255 motion is **GRANTED IN PART AND DENIED IN PART.** (Docket No. 1.)

Petitioner's right to appeal shall be reinstated by means of a re-sentencing which the Court shall schedule forthwith.

Judgment shall be entered dismissing this case for all statistical purposes.

IT IS SO ORDERED.

In San Juan, Puerto Rico, March 1, 2006.

S/JUAN M. PEREZ-GIMENEZ
U.S. District Judge